

Faxed to 703-872-9306 on 11/05/2004

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

10

Application Number

10/722,173

Filing Date

11/24/2003

First Named Inventor

Robert A. Moss

Art Unit

3644

Examiner Name

Stephen A. Holzen

Attorney Docket Number

MOSR01NP

RECEIVED
CENTRAL FAX CENTER
NOV 15 2004**ENCLOSURES** (Check all that apply)☐

Fee Transmittal Form

☐

Fee Attached

☒

Amendment/Reply (8 pages)

☐

After Final

☐

Affidavits/declaration(s)

☐

Extension of Time Request

☐

Express Abandonment Request

☐

Information Disclosure Statement

☐

Certified Copy of Priority Document(s)

☐Reply to Missing Parts/
Incomplete Application☐Reply to Missing Parts
under 37 CFR 1.52 or 1.53☐

Drawing(s)

☐

Licensing-related Papers

☐

Petition

☐Petition to Convert to a
Provisional Application☐Power of Attorney, Revocation
Change of Correspondence Address☐

Terminal Disclaimer

☐

Request for Refund

☐

CD, Number of CD(s) _____

☐

Landscape Table on CD

☐

After Allowance Communication to TC

☐Appeal Communication to Board
of Appeals and Interferences☐Appeal Communication to TC
(Appeal Notice, Brief, Reply Brief)☐

Proprietary Information

☐

Status Letter

☐Other Enclosure(s) (please identify
below):

Remarks

- In response to Office Action dated 10/06/2004 (requirement for restriction)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name

Signature

/David S Alavi/

Printed name

David S Alavi

Date

11/05/2004

Reg. No.

40310

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage ~~as first class mail~~ in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below: Faxed to 703-872-9306

Signature

/David S Alavi/

Typed or printed name

David S Alavi Reg No 40310

Date

11/05/2004

This collection of information is required by 37 CFR 1.6. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Faxed to 703-872-9306 on 11/05/2004

Docket No. MOSR01NP

RECEIVED
CENTRAL FAX CENTER

NOV 05 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Robert A. Moss
Filed: 11/24/2003
App. No.: 10/722,173
For: Hybrid airgun

Art Unit: 3644
Examiner: Stephen A. Holzen

ELECTION UNDER 37 CFR §1.142
PRELIMINARY AMENDMENT UNDER 37 CFR §1.115

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

11/05/2004

Sir:

In response to the Office Action dated 10/06/2004 (requirement for restriction), Applicant hereby makes his election, as set forth hereinbelow. Please amend the above-named application as set forth hereinbelow. The amendments are presented in accordance with the Revised Amendment Practice set forth in 37 CFR § 1.121 effective 07/30/2003.

Amendments to the Claims are reflected in the listing of Claims which begins on page 2 of this paper.

Remarks begin on page 8 of this paper.